

Sixth Appellate District

San Jose, California

MONDAY, MARCH 24, 2008

The following case is submitted this date:  
H032360 In re MARY H.; D.F.C.S. v. DARLENE W.

TUESDAY, MARCH 25, 2008

The following case is submitted this date:  
H031273 PAN v. SAFEWAY STORES INC., et al.

H032210 PEOPLE v. SUPERIOR COURT OF SANTA CLARA COUNTY  
(VILLALPANDO)

The petition for writ of mandate is granted. Let a peremptory writ of mandate issue directing respondent superior court to vacate its order granting Villalpando's motion to suppress and enter a new order denying the motion. (not published)

(Premo, Acting P.J.; We concur: Elia, J., Duffy, J.)  
Filed March 25, 2008

H031743 In re RAYNA T.; SANTA CRUZ HUMAN RESOURCES AGENCY v. MARIA R.

The order appealed from is affirmed. (not published)  
(Elia, J.; We concur: Rushing, P.J., Premo, J.)  
Filed March 25, 2008

H030535 HAWKS v. BARTELS

The order of July 20, 2006 is reversed, insofar as it requires appellant Phillip Bartels to reimburse the Trustee of the Joanne Bartels Trust for \$7,141.36. In the interests of justice, the parties shall bear their own costs on appeal. (See Cal. Rules of Court, rule 8.278(a)(5).) (not published)  
(McAdams, J.; We concur: Mihara, Acting P.J., Duffy, J.)  
Filed March 25, 2008

H031614 PEOPLE v. ETI

The judgment is affirmed. (not published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)  
Filed March 25, 2008

H030462 PEOPLE v. CASTRO, JR.

The judgment is affirmed. (not published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)  
Filed March 25, 2008

Sixth Appellate District

San Jose, California

Tuesday, March 25, 2008 (continued)

H030606 PEOPLE v. DERBY

The judgment is reversed and the matter is remanded to the trial court with directions to reverse the order to pay \$1,000 in attorney fees and conduct a noticed hearing under Penal Code section 987.8, subdivision (b) concerning defendant's ability to pay. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed March 25, 2008

H029691 SIMONI v. BATELLE, et al.

By the Court\*:

Appellant's petition for rehearing is denied.

Filed: March 25, 2008

\*Before Rushing, P.J., Premo, J. and Elia, J.

H031466 PEOPLE v. RIOS

The superior court's order is reversed. The case is remanded to the superior court with directions to vacate its orders granting defendant's motion and dismissing the case, and to enter a new order denying defendant's motion. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)

Filed March 25, 2008

WEDNESDAY, MARCH 26, 2008

H031171 PEOPLE v. CHUNG

The judgment is affirmed. (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed March 26, 2008

THURSDAY, MARCH 27, 2008

The following cases are submitted this date:

H030646 PEOPLE v. SHEPARD

H031571 PEOPLE v. SPOTSWOOD

H031380 PEOPLE v. FOUSEK

H031994 PEOPLE v. MARCHESE

H031988 In re MARYJANE R.; DFCS v. GABRIEL R.

The order barring visitation between father and the minor is affirmed. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed March 27, 2008

Sixth Appellate District

San Jose, California

Thursday, March 27, 2008 (continued)

H030966 LEVIN v. DONNELLY as Executor, etc.

The appeal is dismissed. Each party to bear his own costs on appeal. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: McAdams, J., Duffy, J.)

Filed March 27, 2008

H030113 PEOPLE v. LOPEZ

(Filed modification of opinion with no change in the judgment.) Appellant's petition for rehearing is denied. (not published)

(Rushing, P.J., We concur: Premo, J., Elia, J.)

Filed March 27, 2008

H030206 FERRARO v. FERRARO; CAMARLINGHI et al.

The appeal is dismissed. Each side will bear its own costs. (not published)

(Rushing, P.J.; We concur: Elia, J., McAdams, J.)

Filed March 27, 2008

H030890 FERRARO v. CAMARLINGHI et al.

The judgment of dismissal is reversed and remanded for proceedings consistent with this and the companion opinions. (published)

(Rushing, P.J.; We concur: Elia, J., McAdams, J.)

Filed March 27, 2008

H030777 CAMARLINGHI, as executor, etc. v. FERRARO; FERRARO, et al.

The order overruling appellant's objections and approving the petition for final distribution is reversed. Insofar as the appeal is also taken from the order denying appellant's motion to correct clerical errors in the order of distribution, it is dismissed as moot. Appellant will recover her costs on appeal. (not published)

(Rushing, P.J.; We concur: Elia, J., McAdams, J.)

Filed March 27, 2008

H031465 WOODALL v. WOODALL

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed March 27, 2008

Sixth Appellate District

San Jose, California

FRIDAY, MARCH 28, 2008

The following case is submitted this date:

H031438 TSAO v. KNABB

H030858 MELLEN v. JACKINS

The order appealed from is affirmed. (not published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)  
Filed March 28, 2008

H031260 PEOPLE v. BRINGAZI

The judgment is reversed. The matter is remanded to the trial court for the limited purpose of retrying defendant (at the election of the prosecution) as to count 5. (not published)  
(Duffy, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)  
Filed March 28, 2008

H030576 PEOPLE v. REYNARD

The conditions of probation are modified to delete the requirement that defendant pay the costs of probation investigation and supervision. To the extent, however, that the order requires defendant to pay those costs, subject to administrative determination of his ability to pay, it is affirmed. As modified, the judgment is affirmed. (not published)  
(Duffy, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)  
Filed March 28, 2008

H030918 PEOPLE v. SUNNY VAN NGUYEN

The judgment is affirmed. (not published)  
(Premo, J.; We concur: Rushing, P.J., Elia, J.)  
Filed March 28, 2008

H031580 HAQUE v. FRY'S ELECTRONICS, INC.

The judgment is affirmed. (not published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)  
Filed March 28, 2008

H030877 PEOPLE v. LEUNG

The superior court's postjudgment order is affirmed. (not published)  
(Duffy, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)  
Filed March 28, 2008

Sixth Appellate District

San Jose, California

Friday, March 28, 2008 (continued)

H031201 PEOPLE v. CHEUNG

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Rushing, P.J., Premo, J.)  
Filed March 28, 2008

H032092 In re M.T.; D.F.C.S v. JOSEPH T.

The September 5, 2007 orders are affirmed. (not published)  
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)  
Filed March 28, 2008

H032528 JOHNNNA D. v. SUPERIOR COURT; MONTEREY COUNTY DEPARTMENT  
OF SOCIAL AND EMPLOYMENT SERVICES

The petition for extraordinary relief is denied. (not  
published)  
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)  
Filed March 28, 2008